

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 146 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KANTIBHAI RUMALBHAI

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner
MR UR BHATT ADDL.PUBLIC PROSECUTOR
for Respondents

CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 27/02/98

ORAL JUDGEMENT

Rule. Mr. U.R.Bhatt, the learned APP waives the service of rule for and on behalf of the respondents. The petitioner who is convicted of the offence of murder is at present in custody. He wants to prefer an appeal before the Supreme Court of India and for necessary preparations, he, by this application, prays for being released on Parole.

2. Every citizen has a right to redress his grievances initiating necessary action available in law. To enable him to exercise his such right, the petitioner is required to be released on Parole for sometime. The application is, therefore, allowed. The petitioner is ordered to be released on Parole upto 26th March, 1998, on his executing a bond of Rs.5,000/- with one surety of the like amount before the Jail Authority, or on his executing a personal bond of the like amount and in cash depositing the same amount before the Jail authority; and on further conditions that he will furnish his detailed address to the Jail Authority, he will surrender back to the Jail latest by 16 hrs. on 26th March, 1998, and he shall inform the Jailor before which Police Station he will be marking his presence on every alternate day at any time between 9-00 a.m. to 2-00 p.m. The Jail Authority is free to impose any other necessary condition permissible in law. If the petitioner commits breach of any of the above stated conditions, it will be open to the Jailor to forfeit the amounts and take appropriate actions to which the Jailor is empowered. Rule accordingly made absolute.

(ccs)